



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) Against the City of Lodi

**MEETING DATE:** February 17, 1999

**SUBMITTED BY:** Human Resources Director

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**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

- |                    |               |
|--------------------|---------------|
| A) Spears, Jeremy  | DOL: 09/17/98 |
| B) Gamez, Abraham  | DOL: 12/17/98 |
| C) Burton, Frances | DOL: 12/18/98 |
| D) McDowell, Lorna | DOL: 02/08/99 |

**BACKGROUND INFORMATION:** Following review of the verified claims filed against the City of Lodi, the Risk Manager and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), recommend that the City deny the subject claims.

**FUNDING:** None required.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joanne M. Narloch".

Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "H. Dixon Flynn".  
H. Dixon Flynn -- City Manager

CITY COUNCIL

KEITH LAND, Mayor  
STEPHEN J. MANN  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
ALAN S. NAKANISHI  
PHILLIP A. PENNINO

CITY OF LODI

CITY HALL  
221 WEST PINE STREET  
POST OFFICE BOX 3006  
LODI, CALIFORNIA 95241-1910  
HUMAN RESOURCES DEPARTMENT  
TELEPHONE: 209/333-6704 - FACSIMILE: 209/333-6816

H. DIXON FLYNN  
City Manager  
ALICE M. REIMCHE  
City Clerk  
RANDALL A. HAYS  
City Attorney

Notice of Claim Rejection

February 17, 1999

Mr. Jeremy Spears  
423 West Elm Street #2  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: September 17, 1998  
Claim Number: 981013-287-980917-475

Dear Claimant:


Notice is hereby given that the claim you presented to the City of Lodi on October 13, 1998, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Alice M. Reimche  
City Clerk

cc: City Attorney  
Risk Manager  
Bill Benson, ICA

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City Attorney

Notice of Claim Rejection

February 17, 1999

Mr. Abraham Gamez  
330 East Pioneer Drive  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: December 04, 1998  
Claim Number: 981218-398-981204-110

Dear Claimant:

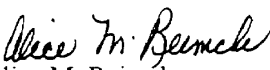
Notice is hereby given that the claim you presented to the City of Lodi on December 18, 1998, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,

  
Alice M. Reimche  
City Clerk

cc: City Attorney  
Risk Manager  
Bill Benson, ICA

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RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 17, 1999

Ms. Frances Burton  
471 Almond Drive Space #3  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: December 04, 1998  
Claim Number: 981221-402-981204-110

Dear Claimant:

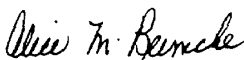
Notice is hereby given that the claim you presented to the City of Lodi on December 21, 1998, is rejected as of the date of this letter.

### Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,

  
Alice M. Reimche  
City Clerk

cc: City Attorney  
Risk Manager  
Bill Benson, ICA

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City Attorney

## Notice of Claim Rejection

February 17, 1999

Ms. Lorna McDowell  
P.O. Box 296  
Wallace, CA 95254

RE: Claim against the City of Lodi  
Date of Loss: July 31, 1998  
Claim Number: 990111-009-980731-

Dear Claimant:

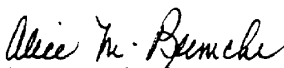
Notice is hereby given that the claim you presented to the City of Lodi on January 11, 1999, is rejected as of the date of this letter.

### Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,

  
Alice M. Reimche  
City Clerk

cc: City Attorney  
Risk Manager  
Bill Benson, ICA